

Application No. (if known): 10/759,841

Attorney Docket No.: 023004.0104N3US

RECEIVED
CENTRAL FAX CENTER
DEC 29 2006

Certificate of Transmission under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office.

on December 29, 2006
Date

Kellie G. Carden

Signature

Kellie Carden

Typed or printed name of person signing Certificate

52,696

Registration Number, if applicable

(703) 744-7919

Telephone Number

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

Response to Election of Species Requirement (13 pages)

RECEIVED
CENTRAL FAX CENTER
DEC 29 2006

FAX TRANSMISSION

DATE: December 29, 2006

PTO IDENTIFIER: Application Number 10/759,841-Conf. #8757

Patent Number

Inventor: Michael W. Graham et al.

MESSAGE TO: US Patent and Trademark Office

FAX NUMBER: (571) 273-8300

FROM: PATTON BOGGS LLP

Kellie L. Carden

PHONE: (703) 744-7919

Attorney Dkt. #: 023004.0104N3US

PAGES (Including Cover Sheet): 15

CONTENTS: Response to Election of Species Requirement (13 pages)
Certificate of Transmission (1 page)

If your receipt of this transmission is in error, please notify this firm immediately by collect call to sender at (703) 744-7919 and send the original transmission to us by return mail at the address below.

This transmission is intended for the sole use of the individual and entity to whom it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. You are hereby notified that any dissemination, distribution or duplication of this transmission by someone other than the intended addressee or its designated agent is strictly prohibited.

PATTON BOGGS LLP

8484 Westpark Drive, 9th Floor, McLean, Virginia 22102

Telephone: (703) 744-8000 Facsimile: (703) 744-8001

1
3669258

Application No. (if known): 10/759,841

Attorney Docket No.: 023004.0104N3US

RECEIVED
CENTRAL FAX CENTER

DEC 29 2006

Certificate of Transmission under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office.

on December 29, 2006
Date

Kellie G. Carden
Signature
Kellie Carden
Typed or printed name of person signing Certificate
52,696 (703) 744-7919
Registration Number, if applicable Telephone Number

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

Response to Election of Species Requirement (13 pages)

2
3669258

RECEIVED
CENTRAL FAX CENTER

DEC 29 2006

FAX TRANSMISSION

DATE: December 29, 2006

PTO IDENTIFIER: Application Number 10/759,841-Conf. #8757
Patent Number

Inventor: Michael W. Graham et al.

MESSAGE TO: US Patent and Trademark Office

FAX NUMBER: (571) 273-8300

FROM: PATTON BOGGS LLP

Kellie L. Carden

PHONE: (703) 744-7919

Attorney Dkt. #: 023004.0104N3US

PAGES (Including Cover Sheet): 15

CONTENTS: Response to Election of Species Requirement (13 pages)
Certificate of Transmission (1 page)

If your receipt of this transmission is in error, please notify this firm immediately by collect call to sender at (703) 744-7919 and send the original transmission to us by return mail at the address below.

This transmission is intended for the sole use of the individual and entity to whom it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. You are hereby notified that any dissemination, distribution or duplication of this transmission by someone other than the intended addressee or its designated agent is strictly prohibited.

PATTON BOGGS LLP
8484 Westpark Drive, 9th Floor, McLean, Virginia 22102
Telephone: (703) 744-8000 Facsimile: (703) 744-8001

1
3669258

Docket No.: 023004.0104N3US
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED
CENTRAL FAX CENTER

DEC 29 2006

In re Patent Application of:
Michael W. Graham et al.

Application No.: 10/759,841

Confirmation No.: 8757

Filed: January 15, 2004

Art Unit: 1635

For: SYNTHETIC GENES AND GENETIC
CONSTRUCTS COMPRISING SAME

Examiner: B. A. Whiteman

AMENDMENT AND
RESPONSE TO ELECTION OF SPECIES REQUIREMENT

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Species Election Requirement dated November 29, 2006,

Applicants submit the following amendments and remarks.

Amendments to the claims start on page 2 of this response.

Remarks begin on page 12 of this response